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LEJJA, JAMES				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/570,848

Applicant(s)

GUILLORIT, FABIEN M.J.

Examiner

JAMES LEIJA

Art Unit

2423

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 March 2006.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-18 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date 03/06/2006
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4, 6, 8, 12, 14, 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Candelore (Pub No.: 2004/0205812), and further in view of Wugofski (USPN 7,134,133).

As per claim 1 Candelore teaches a home entertainment system, comprising:
a gateway (110) (Candelore fig 1 element 110) for receiving an external audio/video signal having audio data components and video data components; and (Candelore page 2 [0021] lines 4-8, 12-15)

Candelore is silent on an external digital audio/video signal

Wugofski teaches an external digital audio/video signal having digital audio data components and digital video data components; (Wugofski column 4 lines 66-67 and column 5 lines 7-9), (Wugofski column 8 lines 57-67)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the external audio/video signal of Candelore by an external digital audio/video signal having digital audio data components and digital video data components as taught by Wugofski in order to have broadcasting signal provide downloading and execution of applications delivered through the broadcast signal.

a video display module (120), (Candelore fig 1 element 160) an audio amplifier module (140), and (Candelore fig 1 element 130) a storage/playback module (135) (Candelore fig 1 element 140 and 150) connected to the gateway via respective digital links (115, 130, 125); (Candelore figure 1 element 120 illustrates a bus that connects each module to the gateway via respective bus lines)

wherein: the video display module (120) is dedicated to displaying the video data components, (Candelore page 2 [0026]) the audio amplifier module (140) is dedicated to reproducing the audio data components, and (Candelore page 2 [0023]) the storage/playback module (135) is dedicated to storage/playback functions for storing and playing back at least one of the audio data components and video data components. (Candelore page 2 [0024] and [0025])

As per claim 2 Candelore and Wugofski teach the home entertainment system of claim 1, wherein:

the storage/playback module (135) comprises at least one of a DVD/CD-RW (520) and a hard drive (HD) (530). (Candelore page 2 [0025] reads on a hard drive)

As per claim 3 Candelore and Wugofski teach the home entertainment system of claim 1, wherein:

the video display module (120) comprises
a video decoder (320) for decoding encoded video signals provided to it by the gateway (110) via the respective digital link (115). (Candelore page 3 [0033] lines 6-9 and page 5 [0050])

lines 11-15 in order to display the encoded program data from the encoder unit, the display unit 160 must inherently have a video decoder)

As per claim 4 Candelore and Wugofski teach the home entertainment system of claim 1, wherein:

the audio amplifier module (140) (Candelore fig 1 element 130) comprises an audio decoder (420) for decoding encoded audio signals provided to it by the gateway (110) via the respective digital link (130). (Candelore page 3 [0033] describes the program data which includes audio as encoded for communication across communication element 120 and decoded at the authorized component and page 2 [0023] lines 6-9 describes audio system element 150 which reads on an audio decoder for decoding the signal from the gateway)

As per claim 6 Candelore and Wugofski teach the home entertainment system of claim 1, wherein:

the external digital audio/video signal is from at least one of a digital cable network, a digital satellite network, and a digital terrestrial network. (Wugofski column 4 line 66 – column 5 line 3 which reads on a digital a/v signal from a digital satellite network)

As per claim 8 Candelore and Wugofski teach the home entertainment system of claim 1, wherein:

the video display module (120) plays video data retrieved from the storage/playback module (135) by the gateway (110). (Candelore page 5 [0054])

As per claim 12 Candelore and Wugofski teach the home entertainment system of claim 1, wherein:

the audio and video data components are scrambled; (Candelore page 2 [0021] lines 12-16 describes scrambled audio and video)

the gateway (110) comprises a conditional access (CA) component (220) (Candelore figure 2 element 240) for descrambling the scrambled audio and video data components to provide descrambled audio and video data components. (Candelore page 2 and 3 [0031] lines 13-15 describes descrambling the programming content)

As per claim 14 Candelore and Wugofski teach the home entertainment system of claim 1, wherein:

the gateway (110) comprises a conditional access (CA) component (220); (Candelore figure 2 element 240, page 2 and 3 [0031])

the audio and video data components are scrambled; (Candelore page 2 [0021] lines 12-16 describes scrambled audio and video)

the gateway (110) provides the scrambled audio and video data components for storage at the storage/playback module (135); and (Candelore page 5 [0051] lines 4-6 describes the storing of scrambled program data)

upon request of the video display module (120), the gateway (110) retrieves the scrambled video data components from the storage/playback module (135) and descrambles the scrambled video data components at the conditional access component (220) to provide

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descrambled video data components to the video display module (120) for decoding and display there at. (Candelore page 5 [0054])

As per claim 16 Candelore and Wugofski teach the home entertainment system of claim 1, wherein: the storage/playback module (135) supports copyright protection features to control data storage there at. (Candelore page 5 [0051] lines 1-6 describes the storing of scrambled programming on the hard disk recording unit 150)

Claims 5, 7, 9, 10, 13, 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Candelore (Pub No.: 2004/0205812), and further in view of Wugofski (USPN 7,134,133), and further in view of Chatterton (USPN 7,116,894).

As per claim 5 Candelore and Wugofski teach the home entertainment system of claim 1, wherein: the external digital audio/video signal (Wugofski column 4 lines 66-67 and column 5 lines 7-9),

Candelore is silent on from the Internet.

Chatterton teaches the external digital audio/video signal is from the Internet. (Chatterton fig 8a elements 830 and 120, column 16 lines 50-65, column 17 lines 3-15)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the external audio/video signal of Candelore and Wugofski by from the Internet as taught by Chatterton in order to free up a substantial amount of inefficiently used broadcast network bandwidth.

As per claim 7 Candelore and Wugofski teach the home entertainment system of claim 1, wherein:

Candelore is silent on the audio amplifier module (140) plays audio data retrieved from the storage/playback module (135) by the gateway (110).

Chatterton teaches the audio amplifier module (140) (Chatterton fig 1 plays audio data retrieved from the storage/playback module (135) by the gateway (110). (Chatterton column 8 lines 48-67)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Candelore by the audio amplifier module (140) plays audio data retrieved from the storage/playback module (135) by the gateway (110) as taught by Chatterton in order to provide client customizations for optimizing communication over the home network.

As per claim 9 Candelore and Wugofski teach the home entertainment system of claim 1, wherein:

the storage/playback module (135) and has no audio decoding capability. (Candelore page 4 [0040] lines 9-16 page 5 [0054] describes the program data as being stored in the hard drive in a scrambled format which reads on the storage having no audio decoding.)

Candelore is silent on video display module (120) has no audio decoding capability.

Chatterton teaches video display module (120) has no audio decoding capability. (Chatterton figure 1 element 151 column 8 lines 42-47 describes decoding only video which reads on no audio decoding) and (Chatterton figure 5 element 520 illustrates that only video and data are sent to the video display node, which also illustrates that no audio is decoded at the video node 520.)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the video display module (120) of Candelore by have no audio decoding capability as taught by Chatterton in order to provide a separation in the audio and video components that provide a client customizations for optimizing communication over the home media network.

As per claim 10 Candelore and Wugofski teach the home entertainment system of claim 1, wherein: the audio amplifier module (140) (Candelore fig 1 element 130)

Candelore is silent on has no video decoding capability.

Chatterton teaches the audio amplifier module (140) has no video decoding capability. (Chatterton fig 5 illustrates that only audio and data are sent to the audio node 522, which reads on no video decoding)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the audio amplifier module (140) of Candelore by has no video decoding capability as taught by Chatterton in order to provide a separation in the audio and video components that provide a client customizations for optimizing communication over the home media network.

As per claim 13 Candelore and Wugofski teach the home entertainment system of claim 12, wherein:

the conditional access module (220) can be accessed by the video display module (120), and storage/playback module (135) (Candelore page 5 [0054])

Candelore is silent on the accessed by the audio amplifier module.

Chatterton teaches the conditional access module (220) can be accessed by the audio amplifier module. (Chatterton column 22 lines 46-60, 61-63)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the conditional access module of Candelore by accessed by the audio amplifier module as taught by Chatterton in order to provide the prevention of copying and playback by any unauthorized devices listening in on the network.

to receive the descrambled and encoded audio and video data components via their respective digital links (115, 130, 125). (Candelore page 3 [0033] describes descrambled and encoded program data components transmitted via to the network devices that are authorized to decode the encoded program data components.)

As per claim 15 Candelore and Wugofski teach the home entertainment system of claim 1, wherein:

the gateway (110) comprises a conditional access (CA) component (220); (Candelore figure 2 element 240, page 2 and 3 [0031])

the audio and video data components are scrambled; (Candelore page 2 [0021] lines 12-16 describes scrambled audio and video)

the gateway (110) provides the scrambled audio and video data components for storage at the storage/playback module (135); and (Candelore page 5 [0051] lines 4-6 describes the storing of scrambled program data)

upon request of the audio amplifier module (140), the gateway (110) retrieves the scrambled audio data components from the storage/playback module (135) and descrambles the scrambled audio data components at the conditional access component (220) (Candelore page 5 [0051] lines 1-5 describes the descrambling of program data which reads on descrambling audio) to provide descrambled audio data components (Candelore page 5 [0051] lines 5- describes the descrambling of program data which reads on descrambling audio)

Candelore is silent on to the audio amplifier module (140) for decoding and reproduction thereat.

Chatterton teaches to the audio amplifier module (140) for decoding and reproduction thereat. (Chatterton column 8 lines 48-67)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the providing of descrambled program data of Candelore by to the audio amplifier module (140) for decoding and reproduction thereat as taught by Chatterton in order to provide users with a unique interactive interfaces at various media nodes that allow users access to stored content.

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Candalore (Pub No.: 2004/0205812), and further in view of Wugofski (USPN 7,134,133), and further in view of Gatto et al (Pub. No. US 2002/0174444).

As per claim 11 Candalore and Wugofski teach the home entertainment system of claim 1, wherein: the gateway (110) comprises

Candalore is silent on a plurality of digital tuners (210, 212, 214) for receiving digital signals from respective different digital networks.

Gatto teaches a plurality of digital tuners (210, 212, 214) for receiving digital signals from respective different digital networks. (Gatto fig 1 illustrates a "cable digital", "Satellite Digital" and "Aerial Digital" tuners, wherein a each tuner inherently tunes tv broadcasts of different digital networks)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the gateway of Candalore by a plurality of digital tuners (210, 212, 214) for receiving digital signals from respective different digital networks as taught by Gatto in order to reduce the number of set-top devices required to connect with multiple broadcasting networks.

Claims 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Candelore (Pub No.: 2004/0205812), and further in view of Wugofski (USPN 7,134,133).

As per claim 17 Candelore teaches a module in a home entertainment system, the module comprising: means for receiving (300, 400, 500) (Candelore fig 1 element 160 illustrates a video module that reads on a receiving means)

at least one of encoded audio data components and encoded video data components of a audio/video signal from a gateway (110) in the home entertainment system (100); (Candelore page 3 [0033] describes the program data which includes video as encoded for communication across communication element 120) and (Candelore page 5 [0050] lines 11-15 describes display unit 160 which reads on receiving the encoded video from a gateway)

wherein the gateway (110) receives the audio/video signal from an external source; (Candelore page 2 [0021] lines 4-8)

Candelore is silent a digital audio/video signal

Wugofski teaches a digital audio/video signal(Wugofski column 8 lines 57-65)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the audio/video signal of Candelore by a digital audio/video signal as taught by Wugofski in order to provide downloading and executing application delivered through a broadcast signal.

at least one digital link (115, 130, 125) for linking the means for receiving (300, 400, 500) to the gateway; and (Candelore figure 1 element 120 illustrates a bus that connects each receiving means to the gateway via respective bus lines)

means (320, 330; 420; 520, 530) dedicated to one of: decoding and displaying the encoded video data components, (Candelore page 3 [0033] describes the program data which includes video as encoded for communication across communication element 120 and decoded at the authorized component) and (Candelore page 5 [0050] lines 11-15 describes display unit 160 which reads on decoding and displaying) decoding and reproducing the encoded audio data components, and performing storage/playback functions for storing and playing back at least one of the encoded audio data components and the encoded video data components.

As per claim 18 Candelore teaches a method for providing a home entertainment system, comprising:

receiving an external audio/video signal at a gateway (110), the external audio/video signal (Candelore page 2 [0021] lines 6-9) having audio data components and video data components; (Candelore page 2 [0021] lines 15-16)

Candelore is silent on external digital audio/video signal having encoded audio data components and encoded video data components

Wugofski teaches encoded audio data components and encoded video data components (Wugofski column 8 lines 57-65)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the external audio/video signal of Candelore by external digital audio/video signal having encoded audio data components and encoded video data components as taught by Wugofski in order to provide downloading and executing application delivered through a broadcast signal.

communicating at least the encoded video data components to a dedicated video display module (120) via a respective digital link (115) for decoding and displaying; (Candelore page 3 [0033] describes the program data which includes video as encoded for communication across communication element 120 and decoded at the authorized component and page 5 [0050] lines 11-15 describes display unit 160 which reads on decoding and displaying)

communicating at least the encoded audio data components to a dedicated audio amplifier module (140) via a respective digital link (130) for decoding and reproducing; and (Candelore page 3 [0033] describes the program data which includes audio as encoded for communication across communication element 120 and decoded at the authorized component and page 2 [0023] lines 6-9 describes audio system element 150 which reads on decoding and reproducing)

communicating at least one of the encoded audio data components and encoded video data components to a dedicated storage/playback module (135) via a respective digital link (125) for performing storage/playback functions. (Candelore page 3 [0033] describes the program data which includes audio and video as encoded for communication across communication element 120, page 2 [0025] lines 6-9 describe recording element 150 which reads on storage/playback functions)

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAMES LEIJA whose telephone number is (571)270-5249. The examiner can normally be reached on M-F 730 am to 5pm est.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, ANDREW Y. KOENIG can be reached on (571) 272-7296. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/J. L./
Examiner, Art Unit 2423

/Andrew Y Koenig/
Supervisory Patent Examiner, Art Unit 2423